



SPECIAL EDITION

● **The Department Is Seeking Stakeholder Input For Proposed Rule Changes**

Any stakeholder in the electrical industry may make proposals for additions and/or revisions to the Washington Administrative Code WAC 296-46B – Electrical Safety Standards, Administration, and Installation electrical rules.

Rules are developed to aid both stakeholders and the department in clarification or enforcement of the intent of the electrical statute. New rules cannot be drafted simply because an individual feels that “it’s a good idea.” Technical changes require evidence of a specific problem and substantiation that the proposal will provide a solution for that problem.

● **General Rule Revision Process**

In the future, the electrical WAC will be placed on an annual cycle to coincide with revisions needed due to legislative action. Future WAC development process rule revision cycles will be closely modeled towards the process used by the National Fire Protection Association (NFPA) in development of the National Electrical Code. The NFPA code development model has proven to be an efficient and effective model for many decades.

The department is responsible for developing all rules. The department will act as the correlating organization during the rule development process and may at any time promote rule change as necessary to accommodate statutory change or department policies or procedures.

● **Proposals for Change**

Industry proposals to WAC 296-46B **must be made electronically** (e.g. compact disc, floppy disk, or as an email attachment sent to electricalwac@lni.wa.gov) using the form supplied by the department.

The form shown in this edition must be used to submit rule proposals for the 2003 – 2004 revision cycle. An electronic fill-in version of the form is available on our website homepage. Electronic versions are also available upon written request to Chief Electrical Inspector, P.O. Box 44460, Olympia, WA, 98504-4460.

Industry proposals **must be received between June 1, 2003 and July 21, 2003**. The submitter may submit a proposal(s) by:

- o Mailing a compact or floppy disc containing the proposal(s) to Chief Electrical Inspector, P.O. Box 44460, Olympia, WA, 98504-4460; or
- o Sending the proposal(s) as an email attachment to electricalwac@lni.wa.gov.

All proposals must clearly identify original language as “new text.” Proposed revisions should include the relevant existing text and should use the legislative format (i.e. Use underscore (or underlining) to denote wording to be inserted (e.g. inserted wording) and strike-through to denote wording to be deleted (e.g. ~~deleted wording~~)).

● Technical Advisory Committee (TAC) – General

The department will appoint a TAC made up of experts and interest group representatives to review and make recommendation on proposals from the electrical industry. The department will use an open, fair, and transparent process to solicit and confirm TAC membership.

Persons interested in becoming TAC members must submit a letter of interest to the Chief Electrical Inspector, P.O. Box 44460, Olympia, WA, 98504-4460 **to be received no later than May 23, 2003**. The letter should constitute support for the prospective member.

A WAC development kickoff meeting will be held on May 29, 2003, L&I auditorium, 7273 Linderson Way, Tumwater beginning at 9 AM to discuss proposed TAC membership, process, and responsibilities. An electronic mailing list will be developed to keep interested stakeholders informed of rulemaking progress. A special posting will also be made on the electrical program internet website along with updates in the Electrical Currents newsletter.

TAC makeup will be based on an equitable distribution relative to proportion of involvement within the electrical industry in Washington. TAC membership provides an opportunity for licensed electrical contractors, certified electricians, electrical engineers, electrical manufacturers, city regulators, L&I electrical inspection staff, electrical trainer, electrical testing laboratories, electrical & telecommunications utilities, training schools, and consumers to participate in the WAC development process. A primary representative and an alternate may be identified for each available position.

All TAC meetings are open to the public and any interested parties may be added to a TAC mailing list.

● TAC – Process

The TAC will make recommendations on industry proposals and identify proposals that may have an economic impact on small businesses, construction costs, or the cost of enforcement

The TAC must review and evaluate proposals based on the need:

- o To address a critical life/safety need;
- o To address a specific state policy/statute;
- o To maintain a competitive environment;
- o To address a unique character of the State; or
- o To correct errors and omissions.

TAC representatives must have decision-making authority at committee meetings. Members who know they will be absent from a TAC meeting should make every effort to send their alternate.

TACs will operate on a consensus agreement basis. "Consensus agreement" means a unanimous or near unanimous agreement by the TAC members on an issue. The TAC chairman will determine if consensus has been reached and whether the issue may be revisited. If the TAC chairman determines that a strong majority of TAC members are in agreement, but consensus cannot be reached, a majority and minority recommendation may be forwarded to the department and Electrical Board. TAC recommendations will be summarized for each proposal.

All TAC members share an equal vote.

● TAC – Membership

- | | |
|---|--|
| o Chairperson– Chief Electrical Inspector | o 1 – Electric Utility |
| o 1 – Consumer | o 1 – Telecommunications Utility |
| o 1 – Training School | o 5 – General Electrical Contractors |
| o 1 – Continuing Education Provider | o 5 – General Journeyman Electricians |
| o 1 – Electrical Engineer | o 3 – Specialty Electrical Contractors |
| o 1 – Electrical Manufacturer | o 3 – Specialty Electricians |
| o 1 – Testing Laboratory | |
| o 2 – L&I Electrical Inspection Staff | |
| o 1 – City Regulator | |

● 2003-2004 WAC revision process – Proposed Sequence of Events

- o **May 29, 2003** – TAC membership/process meeting, L&I auditorium, 7273 Linderson Way, Tumwater beginning 9 AM.
- o **June 1, 2003** – File CR 101 – pre-proposal statement of inquiry
- o **June 1, 2003** – Call for proposals to: amend or add to the existing WAC
- o **June 13, 2003** – TAC membership published
- o **July 21, 2003** – Close proposal period
- o **August 4, 2003** – August 25, 2003 – TAC members individually review proposals
- o **August 26, 2003** – TAC meets to act on proposals *
- o **August 27, 2003** – TAC meets to act on proposals *
- o **August 28, 2003** – TAC meets to act on proposals *
- o **September 22, 2003** – Report on proposals is published for public review and comment
- o **October 10, 2003** – Public comment on proposals closes
- o **October 17, 2003** – November 16, 2004 – TAC members individually review public comments
- o **October 30, 2003** – Electrical Board review and preliminary recommendations
- o **November 19, 2003** – TAC meets to act on comments and Electrical Board preliminary recommendations *
- o **November 20, 2003** – TAC meets to act on comments and Electrical Board preliminary recommendations *
- o **November 21, 2003** – TAC meets to act on comments and Electrical Board preliminary recommendations *
- o **December 1, 2003** – Report on comments is published for public review
- o **December 1, 2003** – Department review and final draft development
- o **January 29, 2004** – Electrical Board review and final recommendation to the department.
- o **February, 2004** – Final department review
- o **March, 2004** – File CR 102 – proposed rule filing (opens the official required public comment period)
- o **Early April, 2004** – Public hearings
- o **Late April 2004** – File CR 103 – rulemaking order (adoption)
- o **Late May 2004** – Effective rule
- o **June 2004** – Open proposal period for the next rule cycle

* Additional meetings may be scheduled if necessary. All TAC meetings are scheduled from 9 AM to 4 PM at the Comfort Inn, Tumwater Room, 1620 74th Ave., Tumwater, WA 98501.

PROPOSAL FORM for 2003 – 2004 WAC 296-46B Rule Changes

Mail to: Chief Electrical Inspector
Department of Labor and Industries
Electrical Section
PO Box 44460
Olympia, WA 98504-4460

FOR L&I USE ONLY

Date Received:

Email to: electricalwac@lni.wa.gov

NOTES:

1. All proposals must be **received by July 21, 2003**.
2. Limit each proposal to a single rule section. Use a separate copy for each proposal.
3. Include supplementary material (photographs, diagrams, reports, etc.) if necessary to support your proposal.

Date submitted: _____ **Name:** _____ **Telephone:** _____

Representing: _____

Mailing Address: _____

Email Address: _____

1. Rule/Section: _____ (X one): ☐ New Text ☐ Revised Text ☐ Deleted Text

2. Proposal: Include new or revised wording, or identification of wording to be deleted. Proposed text should be in legislative format. Use underscore to denote wording to be inserted (e.g. inserted wording) strike-through to denote wording to be deleted (e.g. ~~deleted wording~~).

3. Statement of Problem & Substantiation **Proposal:** Note: State the problem that will be resolved by your proposal and substantiation for your proposal.

4. Check one: ☐ This proposal is original material ☐ This proposal is not original material